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104TH CONGRESS
1ST SESSION

S. 716

To amend the Social Security Act to provide for criminal penalties for acts involving medicare or State health care programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 7 (legislative day, APRIL 5), 1995

Mr. GRAHAM introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Social Security Act to provide for criminal penalties for acts involving medicare or State health care programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CRIMINAL PENALTIES FOR ACTS INVOLVING**
4 **MEDICARE OR STATE HEALTH CARE PRO-**
5 **GRAMS.**

6 Section 1128B(b)(3) of the Social Security Act (42
7 U.S.C. 1320a-7b(b)(3)) is amended—

8 (1) by striking “and” at the end of subpara-
9 graph (D);



1 (2) by striking the period at the end of sub-
2 paragraph (E) and inserting “; and”; and

3 (3) by adding at the end the following new sub-
4 paragraph:

5 “(F)(i) any premium payment made to a health
6 insurer or health maintenance organization by a
7 State agency in connection with a demonstration
8 project operated under the State medicaid program
9 pursuant to section 1115 respect to individuals par-
10 ticipating in such project; or

11 “(ii) any payment made by a health insurer or
12 a health maintenance organization to a sales rep-
13 resentative or a licensed insurance agent for the pur-
14 pose of servicing, marketing, or enrolling individuals
15 participating in such demonstration project in a
16 health plan offered by such an insurer or organiza-
17 tion.”.

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